



## November 20-21, 2014 Board of Nursing Meeting Minutes

<p>Board President, Samuel McNutt, called the Board of Nursing meeting to order at 8:36 a.m. on Thursday, November 20, 2014 and at 8:33 a.m. on Friday, November 21, 2014. Public notice was properly posted at the Board offices as well as on its website and provided to all requesting persons, organizations and news media in compliance with the S.C. Freedom of Information Act. A quorum was present at all times.</p>	<u>CALL TO ORDER</u> <u>PLACE OF</u> <u>MEETING</u> <u>&amp; FOIA</u> <u>COMPLIANCE</u>
<p>Samuel H. McNutt, RN, CRNA, MHSA, President.....Present          Congressional District 5</p> <p>Carol A. Moody, RN, MAS, NEA-BC, Vice President.....Present          Congressional District 4</p> <p>Amanda Baker, RN, MSN, CRNA, MNA, Secretary.....Present          Congressional District 2</p> <p>W. Kay Swisher, RNC, MSN.....Present          Congressional District 3</p> <p>Karen R. Hazzard, MSN, RN, NE-BC.....Excused          Congressional District 7</p> <p>Anne Crook, PhD.....Present          Public Member</p> <p>James E. Mallory, EdD.....Present          Public Member</p> <p>One <i>Congressional District 1 Vacancy</i>          One Congressional District 6 Vacancy</p> <p>Two Licensed Practical Nurse Vacancies</p>	<u>BOARD MEMBERS</u> <u>PRESENT &amp;</u> <u>VOTING</u>
<p>Nancy Murphy, Board Administrator          Karen Blizzard, Program Assistant          Kathryn Nedovic, Licensure/ Compliance Supervisor          Helen Brooks, Education Consultant          Darra Coleman, Chief Advice Counsel          Donnell Jennings, Advice Counsel, Board of Nursing          Bryan Letteer, Office of Disciplinary Counsel          Princess Hodges, Office of Disciplinary Counsel          Zubin Billimoria, Office of Disciplinary Counsel</p>	<u>LLR STAFF</u> <u>PRESENT FOR</u> <u>CERTAIN ITEMS</u>
<p>Karen Hazzard was excused from the November 20-21, 2014 Board of Nursing meeting.</p>	<u>EXCUSED</u> <u>ABSENCES</u>
<p>The November 20-21, 2014 Board of Nursing Meeting Regular Agenda was</p>	<u>APPROVAL OF</u>

<p>presented for the Board's review and approval.</p> <p>A motion was made by Carol Moody to approve the November 20-21, 2014 Board of Nursing Regular Agenda as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>AGENDA</u></p> <p><u>MOTION</u></p>
<p>The Consent Agenda for the November 20-21, 2014 Board of Nursing Meeting was presented for the Board's review and approval/acceptance as information.</p> <ul style="list-style-type: none"> <li>a) For Information: NCLEX RN and PN Summary Statistics for July 1 through Sep 30, 2014</li> <li>b) For Information: NCSBN Good Morning Members September 12, 2014</li> <li>c) For Information: NCSBN Good Morning Members September 17, 2014</li> <li>d) For Information: NCSBN Good Morning Members September 19, 2014</li> <li>e) For Acceptance: April 10, 2014 Nursing Practice and Standards Committee Meeting Minutes</li> <li>f) For Acceptance: August 26, 2014 Advisory Committee on Nursing Meeting Minutes</li> <li>g) For Information: Statement of Economic Interest</li> <li>h) For Information: Good Morning Members October 8, 2014</li> <li>i) For Information: Announcement of Nursing Board Public Member Virtual Network</li> <li>j) For Information: Budget (<i>on table</i>)</li> </ul> <p>A motion was made by Kay Swisher to approve the Consent Agenda as presented. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF CONSENT AGENDA</u></p> <p><u>MOTION</u></p>
<p>The September 25-26, 2014 Board of Nursing Meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Kay Swisher to approve the September 25-26, 2014 meeting minutes as presented. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF MINUTES</u></p> <p><u>MOTION</u></p>
<p>Connie Casebolt, MD, appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to the duties the APRN would be performing, the times during the year when the location/ distance between the APRN and the physician will be greater than 45 miles and the availability of the physician to the APRN during patient care.</p> <p>A motion was made by Anne Crook to grant the request for the mileage waiver. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP's, CNM's, or CNS's to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.”).</p>	<p><u>REQUEST FOR WAIVER OF MILEAGE RESTRICTION-CONNIE CASEBOLT, MD</u></p> <p><u>MOTION</u></p>
<p>Harley Morgan, MD, Rebecca Lehman, MD and Crystal Walker, APRN, of USC</p>	<p><u>REQUEST FOR</u></p>

<p>Pediatrics, Division of Pediatric Neurology, and Rusty Turner, MD, Network Neurology appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to the duties the APRN would be performing, the location/ distance between the APRN and the physician and the availability of the physician to the APRN during patient care.</p> <p>A motion was made by Anne Crook to approve the waiver of the mileage restriction for the USC Pediatrics, which includes Network Neurology. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP’s, CNM’s, or CNS’s to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.”).</p>	<p><u>WAIVER OF MILEAGE RESTRICTION- USC PEDIATRICS, DIVISION OF PEDIATRIC NEUROLOGY – HARLEY MORGAN, MD, CRYSTAL WALKER, APRN</u></p> <p><u>MOTION</u></p>
<p>Kevin McRedmond, MD, Carrie Cormack, PNP and Mollie Huskey, PNP, Hands of Hope Pediatric Hospice and Palliative Care, appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to the duties the APRN would be performing, the location/ distance between the APRN and the physician and the availability of the physician to the APRN during patient care.</p> <p>A motion was made by Anne Crook to grant the request for waiver of the mileage restriction and at the same time to personally thank those appearing for the work provided for this group. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP’s, CNM’s, or CNS’s to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.”).</p>	<p><u>REQUEST FOR WAIVER OF MILEAGE RESTRICTION- HANDS OF HOPE PEDIATRIC HOSPICE AND PALLIATIVE CARE- KEVIN MCREDMOND, MD</u></p> <p><u>MOTION</u></p>
<p>Dawn Pender, APRN, SC Center for Fathers and Families, appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to the duties the APRN would be performing, the location/ distance between the APRN and the physician and the availability of the physician to the APRN during patient care.</p> <p>A motion was made by Amanda Baker to grant the request of the mileage waiver for Dawn Pender. Carol Moody seconded the motion. The motion carried</p>	<p><u>REQUEST FOR WAIVER OF MILEAGE RESTRICTION-SC CENTER FOR FATHERS AND FAMILIES-DAWN PENDER</u></p> <p><u>MOTION</u></p>

<p>unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP’s, CNM’s, or CNS’s to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.”).</p>	
<p>Amanda Flynn, MD and Mary Beth Hendricks, APRN, Healthstat, appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to the duties the APRN would be performing, the location/ distance between the APRN and the physician and the availability of the physician to the APRN during patient care.</p> <p>A motion was made by Kay Swisher to grant the waiver of the mileage restriction. Anne Crook seconded the motion. The motion carried unanimously</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP’s, CNM’s, or CNS’s to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.”).</p>	<p><u>REQUEST FOR</u> <u>WAIVER OF</u> <u>MILEAGE</u> <u>RESTRICTION-</u> <u>HEALTHSTAT-</u> <u>AMANDA FLYNN,</u> <u>MD AND MARY</u> <u>BETH HENDRICKS</u></p> <p><u>MOTION</u></p>
<p>Sarah Frassica, APRN, Doctor’s Care City of Columbia Employee Health Clinic, appeared before the Board to request to perform an additional duty as defined in the Nurse Practice Act § 40-33-20(3). The additional duty requested is to dispense a small number of prepackaged medications from the City of Columbia Clinic, when the collaborating physician is not physically present.</p> <p>Discussion included but was not limited to the category/ schedule of drugs available/ dispensed from the onsite pharmacy and clarification/ confirmation that no controlled substances would be dispensed.</p> <p>A motion was made by Amanda Baker to go into executive session for the purpose of receiving legal counsel. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to leave executive session. Anne Crook seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Amanda Baker to approve Ms. Frassica’s request for authorization to perform additional delegated medical acts as defined in the Nurse Practice Act § 40-33-20 (3), and in the Medical Practice Act § 40-47-20 (14), pursuant to the following restrictions: Ms. Frassica must fulfill all acts included in “dispensing” as defined by the Pharmacy Practice Act § 40-43-30 (14). Ms. Frassica may dispense only when her collaborating physician is not physically available to dispense, so long as her collaborating physician is readily available for consultation. This authorization is limited to the City of Columbia Clinic and to Ms. Frassica based upon her training, experience and established prescriptive authority. Anne Crook seconded the motion. The motion carried</p>	<p><u>SCOPE OF</u> <u>PRACTICE /</u> <u>REQUEST TO</u> <u>PERFORM</u> <u>ADDITIONAL DUTY</u> <u>- SARAH</u> <u>FRASSICA</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>unanimously.</p> <p>Samuel McNutt informed Ms. Frassica that she will also need to go before the Medical Board for the next step in the approval process.</p>	
<p>Lori Gibbons, Vice President of Quality Improvement and Patient Safety and Lara Hewitt, Director of Education Services, South Carolina Hospital Association (SCHA) and Tina Jury, Chief Nursing Officer, AnMed Health and South Carolina Organization of Nurse Leaders (SCONL) representative appeared before the Board to request guidance regarding the Employer’s Duty to Report - S.C. Code Ann. 40-33-111.</p> <p>Discussion included but was not limited to clarification of the timing of reporting/ when the 15 business days begin; FMLA Statute and employer’s responsibility to report; renewal application question clarification regarding disciplinary action by an employer and Just Culture concepts.</p> <p>The following three questions were posed by SCONL and SCHA to the Board for guidance:</p> <p>Three questions posed:  Question #1 Timing of Reporting – Request for guidance on the 15 business days:</p> <p>Should the institution complete its investigation before it reports to the BON or should the organization report upon receipt of the complaint within the 15 business day timeframe?</p> <p>Question #2 FMLA Statute – Request for guidance on the responsibility of the employer to report</p> <p>If a nurse leader has knowledge that a licensed nurse is deemed unfit regarding nursing practice either physically or mentally, but, they are covered by the FMLA law, does the employer have the responsibility to report this as misconduct once the FMLA has expired or the employee leaves the organization?</p> <p>Question #3 Renewal application – Request for guidance on the renewal application question “received disciplinary action by any employer for your job performance involving patient care or safety”.</p> <p>Is it the intent of the Board to reveal employer-based decisions as well as licensing authority decisions? Does the nurse leader have a duty to report every medication error/ misconduct reported? What is considered as being the discipline to be reportable? Clarity on the definition of discipline and considerations as to the level of discipline to be reported was requested.</p> <p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Anne Crook to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>EMPLOYER’S DUTY TO REPORT – GUIDANACE (S.C.CODE ANN. 40-33-111) – SOUTH CAROLINA ORGANIZATION OF NURSE LEADERS (SCONL), LARA HEWITT</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>Motion Regarding Question #1 and #2</p> <p>A motion was made by Carol Moody that regardless of the source of information, when an employer becomes aware that a licensed nurse is not fit and/ or competent to practice nursing, the employer has a duty to report. And by the Nurse Practice Act Chapter 33 Section 40-33-111, an employer has 15 business days once they become aware of the alleged misconduct regardless of the status of an internal investigation. The Board of Nursing has an obligation to investigate allegations of any violations of the Nurse Practice Act independently.</p> <p><i>S. C. Code Ann. Section 40-33-111</i>  <i>A) An employer, including an agency, or supervisor of nurses, shall report any instances of the misconduct or the incapacities described in Section 40-33-110 to the State Board of Nursing not more than fifteen business days, excepting Saturdays, Sundays, and legal holidays, from the <u>discovery</u> of the misconduct or incapacity. A nurse supervisor who fails to timely report the misconduct or incapacity may be subject to disciplinary action and civil sanctions as provided for in Section 40-33-120. An employer who is not licensed by the board and who fails to timely report the misconduct or incapacity shall pay a civil penalty of one thousand dollars per violation upon notice of the board.</i></p> <p>The Board interprets “discovery” to mean when the complaint of alleged misconduct or incapacity arises.</p>	<p><u>MOTION</u></p>
<p>Motion Regarding Question #3</p> <p>In response to the third question regarding licensure renewal and the application renewal question concerning “received disciplinary action by any employer for your job performance involving patient care or safety”, the Board interprets discipline to mean to punish someone as a way of making sure that rules or orders are obeyed.</p> <p>Whether a licensee has been subjected to disciplinary action by an employer is a subjective analysis for which the Board of Nursing cannot provide interpretive guidance. It is imperative that employers and nurses within their employ communicate clearly with one another whether a specific employment action constitutes disciplinary action for job performance involving patient care or safety.</p> <p>Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>The Board then added the need to stress patient care/ safety and to recognize that the Board of Nursing governs nursing practice across the state regardless of practice setting and that it is the Board’s duty to uphold the safety for our public.</p>	<p><u>MOTION</u></p>
<p>Darra Coleman presented Governor Haley’s Prescription Drug Abuse Council State Plan to Prevent and Treat Prescription Drug Abuse Clinical Section and asked the Board of Nursing to join the Boards of Medical Examiners and Dentistry in endorsing these uniform guidelines that will set the standard of care for the prescription of pain medications in the state.</p> <p>Discussion included but was not limited to the composition of the Council/ work group, the interest in the prescription drug abuse epidemic, the registration/ utilization of the SC Prescription Monitoring Program (PMP). DHEC’s</p>	<p><u>ADVICE COUNSEL-</u>  <u>GOVERNOR</u>  <u>HALEYS</u>  <u>PRESCRIPTION</u>  <u>DRUG ABUSE</u>  <u>PREVENTION</u>  <u>COUNCIL CLINICAL</u>  <u>SECTION</u></p>

<p>identification of experts for mentoring/ educational opportunities and disciplinary cases that might come before LLR Boards. Additional recommendations/ components specific to the emergency medicine section may be tweaked as requested by the SC College of Emergency Physicians. Ms. Coleman asked the Board to consider deferring these to the Medical Board for adjustments.</p> <p>A motion was made by Anne Crook that the Board of Nursing supports the guidelines approved by the joint Board committee, and if there is a need for some adjustment to the emergency section by the Medical Board, that the Board of Nursing approve that as well. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>At its October 9, 2014 meeting, the Nursing Practice and Standards Committee (NPSC) voted to recommend the Board approve the revisions to Advisory Opinions (AOs) # 2, 12, 14, 18, 22, 26 and 31 as presented.</p> <p>A motion was made by Carol Moody to accept the proposed revisions to Advisory Opinions # 2, 12, 14, 18, 22, 26 and 31 as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>ADVISORY</u> <u>OPINIONS-</u> <u>PROPOSED</u> <u>OPINIONS-AOs</u> <u># 2,12, 14, 18, 22,</u> <u>26 AND 31</u></p> <p><u>MOTION</u></p>
<p>At its October 9, 2014 meeting, the Nursing Practice and Standards Committee (NPSC) voted to recommend the Board approve the revisions to the Position Statement- Scope of Practice Decision Tree as presented.</p> <p>A motion was made by Carol Moody to approve the proposed revisions to the Position Statement Scope of Practice Decision Tree as presented. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>POSITION</u> <u>STATEMENT-</u> <u>PROPOSED</u> <u>REVISIONS-</u> <u>SCOPE OF</u> <u>PRACTICE</u> <u>DECISION TREE</u></p> <p><u>MOTION</u></p>
<p>At its October 9, 2014 meeting, the Nursing Practice and Standards Committee (NPSC) voted to recommend the Board approve the revisions to the Position Statement- Delegation of Nursing Care Tasks to Unlicensed Assistive Personnel (UAP) as presented.</p> <p>A motion was made by Kay Swisher to approve the proposed revisions to the Position Statement Delegation of Nursing Care Tasks to Unlicensed Assistive Personnel (UAP) as presented. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>POSITION</u> <u>STATEMENT-</u> <u>PROPOSED</u> <u>REVISIONS</u> <u>DELEGATION OF</u> <u>NURSING CARE</u> <u>TASKS TO</u> <u>UNLICENSED</u> <u>ASSISTIVE</u> <u>PERSONNEL</u> <u>(UAP)</u></p> <p><u>MOTION</u></p>
<p>Stephanie Burgess, APRN, appeared before the Board to share that The Coalition for Access to Healthcare is proceeding forward with proposed changes to the Nurse Practice Act regarding APRN (NP, CNM, CNS) practice.</p> <p>Discussion included but was not limited to the purpose of the proposed changes/ access to healthcare and that no CRNA changes are included at the request of the association/ physician groups. A bill/ legislative sponsors is forthcoming and</p>	<p><u>LEGISLATIVE</u> <u>PLANS – THE</u> <u>COALITION FOR</u> <u>ACCESS TO</u> <u>HEALTHCARE</u></p>

<p>once finalized will be forwarded to the Board of Nursing.</p> <p>Nancy Murphy requested clarification regarding inclusion for prescribing of CII's and Dr. Burgess confirmed this component would be addressed in the bill.</p>	
<p>At its September 29, 2009 meeting, the Board voted to grant continued full approval for the Piedmont Technical College (PTC) Practical Nursing Program for five years based on the survey conducted June 2009.</p> <p>Tara Harris, Dean of Nursing, Jennifer Wilbanks, Associate Vice President of Academic Affairs and Stephanie Cannady, Nursing Instructor, PTC appeared before the Board regarding continued full approval of the PTC Practical Nursing Program based on the survey conducted June 18, 2014.</p> <p>Discussion included but was not limited to verification of faculty paperwork/ position descriptions/ transcripts, updated library resources/ policy for purging old materials, support services interaction strengthened/ integrated between students on each campus, enhanced communication in faculty meeting minutes, consistencies in curriculum assessment/ planning and intervention and strategies to increase NCLEX pass rates/ Capstone Course.</p> <p>A motion was made by Carol Moody to grant the Piedmont Technical College request for continued full approval of the Practical Nursing Program for five years. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>PIEDMONT TECHNICAL COLLEGE – REQUEST FOR CONTINUED PRACTICAL NURSING PROGRAM FULL APPROVAL</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>At its May 15, 2014 meeting, the Board accepted the citation report and site survey materials but deferred action until two additional cohorts had taken the NCLEX. The Board requested Fortis College return to the Board in November 2014 to present outcomes of the NCLEX passing rates.</p> <p>Glenda Simms, Dean of Nursing, Genevieve Jenson, Regional Dean of Nursing and Jennifer Yarnell, Campus President appeared before the Board to request initial to full approval of the Associate Degree registered nursing program.</p> <p>Discussion included but was not limited to NCLEX passing rates of the two additional cohort groups (March and June 2014), although trending upwards will require a longer timeline to evaluate effectiveness; impact/ outline of the action plan consisting of pre/ post-graduation engagement plan, faculty mentoring, open lab hours and complete integration of NCLEX-RN prep resources.</p> <p>A motion was made by Amanda Baker go into executive session for the purpose of receiving legal counsel. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Kay Swisher to continue with initial approval. The Board requests that Fortis College continue with their plan of action as outlined today and reviewed today. We ask that you return in September of 2015 for a progress update and for further discussion on full approval. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>FORTIS COLLEGE INITIAL TO FULL ASSOCIATE DEGREE REGISTERED NURSING PROGRAM APPROVAL REQUEST</u></p> <p style="text-align: center;"><u>MOTION</u></p> <p style="text-align: center;"><u>MOTION</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>At its July 24, 2014 meeting, the Board granted continued full approval for five years conditioned upon verification of the correction of the deficiency to include a</p>	<p style="text-align: center;"><u>DENMARK TECHNICAL</u></p>

<p>copy of the library's catalog of materials for the nursing department, a copy of all purchase orders issued for materials to be designated for inclusion in the library's nursing department and purchase orders must be for the latest editions. All materials must be submitted prior to the Board of Nursing November, 2014 meeting.</p> <p>Catherine Truitt, Dean of Nursing, Carolyn Fortson, Dean of Library Services and Valerie Fields, Vice President for Academic Affairs appeared before the Board to request continued full approval of the practical nursing program and to answer deficiencies requested by the Board.</p> <p>Discussion included but was not limited to the corrected deficiencies/ updates of the library catalog/ DVDs/ other technology, digital access to online nursing materials as well as current nursing magazine subscriptions, biannual review of library material and the updated library policy on removing outdated material prior to 2005 has been implemented.</p> <p>A motion was made by Carol Moody to grant Denmark Technical College their request for continued practical nursing program full approval for the five years. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>COLLEGE REQUEST FOR CONTINUED PRACTICAL NURSING PROGRAM FULL APPROVAL</u></p> <p><u>MOTION</u></p>
<p>The Nominating Committee (members Anne Crook and James Mallory) submitted the following 2014 slate of Board Officers for Board consideration and vote: Carol Moody, President, Samuel McNutt, Vice President and Amanda Baker, Secretary.</p> <p>A motion was made by Kay Swisher to accept the submitted nominating committee slate of officers as follows: Carol Moody, President, Samuel McNutt, Vice President and Amanda Bake, Secretary. Anne Crook seconded the motion. The motion carried unanimously.</p> <p>An additional motion was made by Anne Crook to grant the President the authority to delegate approval of disciplinary and licensing issues to the Vice President when she is not available. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>PRESIDENT'S REPORT- NOMINATING COMMITTEE FOR ELECTION OF OFFICERS REPORT MOTION</u></p> <p><u>MOTION</u></p>
<p>The National Council of State Boards of Nursing (NCSBN) midyear meeting has traditionally been attended by the Board President (designee) and administrator. Dates are Monday, March 16 through Wednesday March 18, 2015 in Louisville, KY. There is also a compact NLCA meeting Sunday. Request the Board vote to approve the Board president (designee) and administrator's attending this meeting.</p> <p>A motion was made by Kay Swisher to approve the Board President and the administrator to go to the National Council of State Boards of Nursing in March. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>PRESIDENT'S REPORT – NCSBN MIDYEAR MEETING</u></p> <p><u>MOTION</u></p>
<p>Samuel McNutt presented the Board of Nursing Committee Assignments for approval. Committee: Advanced Practice Committee - Samuel McNutt, Advisory Committee on Nursing - Anne Crook, Nursing Practice &amp; Standards Committee - Amanda Baker, RPP Advisory Committee - Karen Hazzard and Healthcare Collaborative Committee - Amanda Baker.</p> <p>A motion was made by Kay Swisher to approve the committee assignments as</p>	<p><u>BOARD OF NURSING COMMITTEE ASSIGNMENTS</u></p> <p><u>MOTION</u></p>

<p>presented. Dr. Mallory seconded the motion. The motion carried unanimously. Samuel McNutt reported that he has been appointed to the Governor's Public Health Emergency Plan Committee. Information will be shared as it becomes available.</p> <p>The Board of Nursing expressed concern that members need to be appointed to its vacant positions. Discussion included the additional strain on the members in terms of planned/ unplanned absences going forward to conduct business, the great representation from the practice sector and the wonderful members at large. The need to include the education representation for the business of school/ nursing education programs was identified. The Board requested that the concern be conveyed to the LLR leadership and that the LLR leadership communicate the Board's membership needs to the Governor's office.</p>	<p><u>PRESIDENT'S REPORT-PUBLIC HEALTH EMERGENCY PLAN COMMITTEE</u></p>
<p>At its October 9, 2014 meeting, the NPSC reviewed the nomination forms for Theresa Lawson and Eileen Beasley for the Education representative position and Cynthia Jordan and Lisa Gosnell for the Long Term Care/ Gerontology representative position. The NPSC voted to recommend the Board approve Theresa Lawson for the NPSC Education representative position and Cynthia Jordan for the Long Term Care/ Gerontology representative position.</p> <p>The nomination forms were all provided for the Board's review.</p> <p>A motion was made by Carol Moody to approve the recommendation from the Nursing Practice and Standards Committee to add Cynthia Jordan as the NPSC Long Term Care Gerontology representative and Theresa Lawson as Education representative. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>ADMINISTRATOR'S REPORT - NURSING PRACTICE AND STANDARDS COMMITTEE NPSC MEMBER NOMINATIONS LONG TERM CARE GERONTOLOGY AND EDUCATION POSITION</u></p> <p><u>MOTION</u></p>
<p>The Board was presented with the CV for Joel Todd Miller to serve as an expert reviewer and be added to the list of resources.</p> <p>A motion was made by Kay Swisher to approve Joel Todd Miller to the expert reviewer resource list. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>ADMINISTRATOR'S REPORT-EXPERT REVIEWER-JOEL TODD MILLER MOTION</u></p>
<p>The information received from the American Nurses Credentialing Center (ANCC) regarding the retirement of the exam for the Pediatric Clinical Nurse Specialist (PCNS-BC) Certification was provided for the Board's information.</p>	<p><u>EXAM RETIREMENT FOR PEDIATRIC CLINICAL NURSE SPECIALIST PCNS BC CERTIFICATION</u></p>
<p>At its September 2014 meeting, the Board discussed plans to begin an audit process of APRNs based on the S.C. Code Ann 40-33-34 (D, H) in January 2015 to include utilizing a checklist covering the items in statute. Proposed checklists for audit of protocols and written guidelines were presented for the Board's review/ approval.</p>	<p><u>AUDIT PROCESS OF APRNS SC CODE ANN 40 33 34 D H</u></p>

<p>Discussion included but was not limited to the percentage of APRNs/ CRNAs to be audited as approved by the Board in September; the ongoing development of the audit policy/ procedures, the recommendation to delete item 40-33-34.H.(2)(b)(iv) from the written guidelines checklist and the focus on the prescriptive authority section 40-33-34.(E).(3) when the practice consultant position is filled,</p> <p>A motion was made by Carol Moody to approve the checklists as submitted for the advanced practice nurse audit, including nurse practitioners and CRNAs. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Mark Sanders, Chief Investigator for the Office of Investigations and Enforcement (OIE) presented the Investigative Review Committee (IRC) Report (Closed Session) with recommendations from its meetings held since the September 2014 Board meeting. The Disciplinary Sanctions Guidelines Matrix is used by the IRC in making these recommendations.</p> <p>A motion was made by Kay Swisher to approve 28 cases for Dismissal as recommended by the Investigative Review Committee (IRC). Carol Moody seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to approve 56 cases for Formal Complaints as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to approve 11 Letters of Caution as recommended by the Investigative Review Committee (IRC). Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to approve 1 Cease and Desist as recommended by the Investigative Review Committee (IRC). Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>Mr. Sanders presented the OIE Statistical report for the 3<sup>rd</sup> quarter ending September 30, 2014.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT</u> <u>OIE MARK SANDERS (CLOSED SESSION)</u> <u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Respondents appeared before the Board to request modifications to their consent agreements or Board orders. The Board also reviewed Memoranda of Agreement (MOA) stipulating to violations of the Nurse Practice Act to determine disciplinary actions and reviewed recommendations from panel hearings.</p> <p>In Case # 2012-397, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Jane W. Trinkley, Esq..</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to leave executive session. Kay Swisher</p>	<p><u>HEARINGS DISCIPLINE CONFIDENTIAL</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	
<p>In Case # 2012-397, a motion was made by Amanda Baker to accept the Memorandum of Agreement and grant the dismissal of the case. Anne Crook seconded the motion. The motion carried unanimously with the recusal of Carol Moody.</p>	<p><u>MOTION</u></p>
<p>In Case # 2010-302, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Paul D. deHolczer, Esq.</p>	
<p>In Case # 2010-302, a motion was made by Anne Crook to accept the Memorandum of Agreement and to dismiss this case. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2013-408, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Karl S. Bowers, Jr. Esq.</p>	
<p>In Case # 2013-408, a motion was made by Carol Moody to accept the Memorandum of Agreement and dismiss the case. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2013-133, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel S. Harrison Saunders, VI, Esq.</p>	
<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Carol Moody to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case # 2013-133, a motion was made by Amanda Baker to accept the Memorandum of Agreement and issue a letter of caution. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2013-15, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel Kate Landess, Esq..</p>	
<p>A motion was made by Amanda Baker to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>

<p>In Case # 2013-15, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following sanctions: continued suspension and referral to RPP for further evaluation and to continue ongoing monitoring. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2010-261, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel T. Micah Leddy, Esq.</p>	
<p>In Case # 2010-261, a motion was made by Anne Crook to accept the Memorandum of Agreement and issue a letter of caution. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2010-527, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Carol Moody to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case # 2010-527, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following sanctions: a private reprimand, a one-year suspension with stay, a \$500 civil penalty payable within six months, and a Legal Aspects and Ethics courses to be completed within six months. Anne Crook seconded the motion. The motion carried unanimously with one opposed.</p>	<p><u>MOTION</u></p>
<p>In Case # 2014-511, respondent requested to modify an existing final order /consent agreement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>In Case # 2014-511, a motion was made by Carol Moody to grant the request to lift the narcotics restriction. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2010-334, a panel hearing was held on August 19, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>In Case # 2010-334, a motion was made by Anne Crook to adopt the panel hearing recommendations that prior to submitting an application for reinstatement, respondent must complete the following courses: Documentation, Medication and Legal Aspects. Proof of completion must be provided to the Board of Nursing prior to submission of an application. Carol Moody seconded</p>	<p><u>MOTION</u></p>

<p>the motion. The motion carried unanimously.</p> <p>In Case # 2012-471, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p> <p>In Case # 2012-471, a motion was made by Anne Crook to accept the Memorandum of Agreement and issue a letter of caution. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>In Case # 2013-64, a panel hearing was held on August 12, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p> <p>In Case # 2013-64, a motion was made by Kay Swisher to accept the panel hearing recommendation: revocation of license. Revocation is permanent and may not apply for reinstatement. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>In Case # 2011-256, a panel hearing was held on August 12, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p> <p>In Case # 2011-256, a motion was made by Kay Swisher to accept the panel hearing recommendation: Indefinite suspension. Respondent's license shall remain suspended until such time as respondent submits an application for reinstatement under the following conditions: prior to submitting an application for reinstatement, respondent must submit to an evaluation as previously ordered and respondent must demonstrate compliance with any and all recommendations made as a result of the evaluation for a period of at least 6 months prior to any application for reinstatement. If no recommendations are made after an evaluation is completed, respondent must appear before the full BON for action. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>A motion was made by James Mallory to adjourn the meeting on November 20, 2014 at 4:10 p.m. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION TO ADJOURN</u></p>
<p><b>Friday, November 21, 2014</b></p> <p>The Board reviewed a disciplinary reinstatement matter and "yes" response(s) for reinstatement, endorsement and examination application matters.</p> <p>An applicant for licensure as a licensed registered nurse by disciplined reinstatement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>A motion was made by Amanda Baker to go into executive session for the</p>	<p><u>HEARINGS/ DISCIPLINE/ APPLICATION APPEARANCES</u></p> <p><u>MOTION</u></p>

<p>purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	
<p>A motion was made by Kay Swisher to leave executive session. James Mallory seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to require respondent to complete a refresher course. A temporary license will be issued for the completion of the clinical portion of the refresher course. Once there is successful completion of the didactic and clinical portions, without returning to the Board, respondent may receive an unencumbered South Carolina license. The Board would then move to remove the restrictions contained in the 2008 consent agreement. The refresher course is to be completed within six months once respondent begins. Anne Crook seconded the motion. The motion carried unanimously with the recusal of Carol Moody.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as an APRN by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	
<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to deny the request for the advanced practice license by endorsement. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by exam appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	
<p>A motion was made by Amanda Baker to grant licensure by exam upon successful completion of the NCLEX. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by exam appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	
<p>A motion was made by Anne Crook to grant licensure by exam. Amanda Baker seconded the motion. The motion carried unanimously.</p>	
<p>An applicant for licensure as a licensed practical nurse by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	<p><u>MOTION</u></p>

<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to grant temporary licensure by endorsement up to one year for the completion of clinical portion of the program. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Anne Crook to grant LPN licensure by endorsement in SC. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Anne Crook to grant endorsement for the RN license in South Carolina. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. James Mallory seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to require a nurse refresher course. Once the refresher course is satisfactorily completed, licensure will be granted. The license will be placed on probation for one year requiring quarterly reports for one year. A temporary license will be issued for completion of the clinical portion of the refresher course. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse by endorsement appeared before the Board. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p>	<p><u>MOTION</u></p>

<p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Anne Crook to grant RN licensure by endorsement. Kay Swisher seconded the motion. The motion carried unanimously with one opposed.</p>	<p style="text-align: center;"><u>MOTION</u></p> <p style="text-align: center;"><u>MOTION</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>A motion was made by James Mallory to adjourn the meeting at 10:54 a.m. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>NOTE: These minutes are a brief summary of the meeting and a record of the motions and official actions taken by the Board.</p>	<p style="text-align: center;"><u>MOTION TO</u> <u>ADJOURN</u></p>